

## IN THE CLAIMS

Please **cancel** non-elected claims 6, 7, and 12-37 without prejudice to or disclaimer of the subject matter contained therein. Please **amend** claims 1-5. Please **add** new claims 38 and 39.

1. (Currently amended) A substantially purified nucleic acid molecule comprising a nucleic acid sequence wherein the nucleic acid sequence:

i) hybridizes under stringent conditions with a sequence ~~selected from the group consisting of SEQ ID NO:1 through 57,467, and the~~ or a complements complement thereof; or

ii) exhibits an 85% or greater identity to a sequence ~~selected from the group consisting of SEQ ID NO:1 through 57,467.~~

2. (Currently amended) The nucleic acid molecule of claim 1, wherein the nucleic acid sequence exhibits a 90% or greater identity to a nucleic acid sequence ~~selected from the group consisting of SEQ ID NO:1 through 57,467.~~

3. (Currently amended) The nucleic acid molecule of claim 1, wherein the nucleic acid sequence exhibits a 95% or greater identity to a nucleic acid sequence ~~selected from the group consisting of SEQ ID NO:1 through 57,467.~~

4. (Currently amended) The nucleic acid molecule of claim 1, wherein the nucleic acid sequence exhibits a 99% or greater identity to a nucleic acid sequence ~~selected from the group consisting of SEQ ID NO:1 through 57,467.~~

5. (Currently amended) The nucleic acid molecule of claim 1, wherein the nucleic acid sequence comprises a sequence ~~selected from the group consisting of SEQ ID NO:1 through 57,467.~~

6-7. (Cancelled)

8. (Original) The nucleic acid molecule of claim 1, wherein the nucleic acid molecule further comprises one or more cis-acting nucleic acid elements.

9. (Original) The nucleic acid molecule of claim 1, wherein the nucleic acid molecule further comprises a 5' leader sequence selected from the group consisting of dSSU 5', PetHSP70 5', and GmHSP17.9 5'.
10. (Original) The nucleic acid molecule of claim 1, wherein the nucleic acid molecule further comprises a 3' untranslated region.
11. (Original) The nucleic acid molecule of claim 10, wherein the 3' untranslated region is selected from the group consisting of NOS 3', E9 3', ADR12 3', 7S $\alpha$  3', 11S 3', and albumin 3'.
- 12-37. (Cancelled)
38. (New) A substantially purified nucleic acid molecule that comprises a nucleotide sequence of SEQ ID NO: 1 or a complement thereof.
39. (New) A substantially purified nucleic acid molecule that consists of a nucleotide sequence of SEQ ID NO: 1 or a complement thereof.